

Appl. No. 10/705,492  
Docket No. 8911MC  
Amdt. dated December 11, 2006  
Reply to Office Action mailed on October 12, 2006  
Customer No. 27752

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#### REMARKS

Claims 1 - 16 are pending in the present application. Claims 1, 14, and 16 have been amended. Support for the amendments to Claims 1, 14, and 16 can be found at least on page 8, line 14 to page 9, line 2 of the specification. The claims have been changed to reflect the amendment filed on 10/14/2005 concerning polar solvents which was subsequently not reflected in the claims.

*The Rejection under 35 U.S.C. 102(b) and/or 35 U.S.C. 103(a) over McAtee et al.*

Claims 1-15 are rejected under 35 U.S.C. 102(b) as anticipated by, or in the alternative, under 35 U.S.C. 103(a) as obvious over McAtee, et al., U.S. Patent No. 6,153,208 (hereinafter "McAtee"). Applicants respectfully traverse the rejection. First, McAtee does not disclose a personal care article comprising a water insoluble substrate, a lathering cleansing composition contacted with said substrate wherein the composition comprises one or more crystalline surfactants which are both crystalline and solid or semi-solid at 25°C even in the presence of water. Thus, the McAtee reference does not anticipate Applicants' Claim 1-15.

The Office Action states that it would have been obvious to one of skill in the art to exhibit hotmelt properties because McAtee teaches each of the claimed components in their requisite proportions. Applicants respectfully disagree. The McAtee reference does not teach or suggest all of the claim limitations, as required in MPEP 2143.03. Thus, the obviousness rejection given in the Office Action does not establish a *prima facie* case of obviousness, and therefore, the claimed invention is unobvious. McAtee does not teach or suggest the use of one or more crystalline surfactants which are both crystalline and solid or semi-solid at 25°C even in the presence of water. Applicants have found that certain surfactants have the unique ability to combine both hotmelt properties and be a crystalline solid or semi-solid in nature at room temperature (25°C) when aqueous. Such surfactants often exhibit a high Kraft point and are opaque crystalline solids or semi-solids at 25°C and aqueous. Surprisingly, Applicants have also found that adding dilute co-surfactants that are not solid at 25°C to the said crystalline surfactant does not impair the hotmelt behavior or character of the final composition and its ability to be a solid or

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semi-solid at 25°C. In particular, these mild crystalline surfactant contributes to the remeltable nature of the composition. Therefore, the hotmelt composition easily melts and resolidifies upon cooling. The use of crystalline surfactants which are both crystalline and solid or semi-solid at 25°C even in the presence of water contribute to the personal care article of the present invention hotmelt properties. McAtee is silent as to the use of crystalline surfactants. Without the use of crystalline surfactants McAtee could not exhibit the hotmelt properties of the present invention.

Thus, McAtee does not teach each and every element of the present invention. Therefore, McAtee does not anticipate Applicants' Claims 1-15. Further, because McAtee does not teach or suggest all of the claim limitations of Claims 1-15, it does not establish a *prima facie* case of obviousness. Therefore, McAtee does not render Claims 1-15 of the Applicants' present invention unpatentable under 35 U.S.C. § 102 (b) or obvious under 35 U.S.C. § 103(a).

Hence, Applicants contend that the claimed invention is novel and unobvious and that the rejections should be withdrawn.

The Rejection under 35 U.S.C. 102(e) over Lorenzi et al.

Claims 1 -16 are rejected under 35 U.S.C. 102(e) as anticipated by Lorenzi, et al., U.S. Patent No. 6,491,933 (hereinafter "Lorenzi I") or Lorenzi, et al., U.S. Patent No. 6,322,801 (hereinafter "Lorenzi II"). Applicants respectfully traverse the rejection. First, Lorenzi does not disclose a personal care article comprising a water insoluble substrate, a lathering cleansing composition contacted with said substrate wherein the composition comprises one or more crystalline surfactants which are both crystalline and solid or semi-solid at 25°C even in the presence of water. Thus, Lorenzi I and Lorenzi II do not anticipate Applicants' Claims 1-16. Therefore, Applicants contend that the present invention is novel in view of Lorenzi I and Lorenzi II and that the rejection should be withdrawn.

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Conclusion

In view of the above, Applicants respectfully submit that each of the issues raised by the Office Action has been addressed. Reconsideration and allowance of each of the pending claims is respectfully requested.

Respectfully submitted,  
THE PROCTER AND GAMBLE COMPANY

By Bridget Murray  
Bridget Murray  
Attorney for Applicants  
Registration No. 52,920  
(513) 626-0575

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